

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R 23	\$	DEMAND		JUDGE NUMBER	JURY DEM.	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR							OTHER	YR.			NUMBER	
1085/4	75	0309	07	14	75	4	110	2	12			102		8509		75	0309 <i>B</i>

PLAINTIFFS

Dale Knott

DEFENDANTS

General American Transportation
CorporationBOILERMAKERS, IRON, SHIPBUILDERS,
BLACKSMITHS, FORGERS & HELPERS
UNION

additional party deft.

BOILERMAKER-BLACKSMITH NATIONAL
PENSION TRUST

additional party deft.

CAUSE

28 USCA 1446

ATTORNEYS

Jeff Nix
1107 Petroleum Club Building
Tulsa, Oklahoma 74119Richard Cleverdon
~~Petroleum Club Bldg.~~ Suite 500
Tulsa, OK 74119 201 Off. Bldg.
584-4716 74103Thomas Brett 201 W. 5th, Suite 400
~~1700 Fourth National Bank Bldg.~~
Tulsa, Oklahoma ~~74103~~ 74103Richard L. Calcara (T. Lusk Wands)
374 New Brotherhood Bldg.
Kansas City, Kan. 66101
913-321-8884John Keefer (T. Lusk Wands)
1210 Mid-Continent Bldg.
Tulsa, Okla. 74103
918-582-6131

Attys. for Deft. Boilermakers et al.:

Richard L. Calcara
BLAKE & UHLIG
374 New Brotherhood Building
Kansas City, KS 66101
(913) 321-8884John Keefer
JARBOE, KEEFER & BARROW
1210 Mid-Continent Bldg.
Tulsa, OK 74103
(918) 582-6131
☐ CHECK
HERE
IF CASE WAS
FILED IN
FORMA
PAUPERIS

FILING FEES PAID

DATE

RECEIPT NUMBER

C.D. NUMBER

STATISTICAL CARDS

CARD DATE MAILED

JS-5 8-1-75

JS-6 6-1-78

DATE	NR.	PROCEEDINGS
7-15-75	1.	Petition for Removal from Dist. Court for Tulsa Co., Okla., filed. mm
7-15-75	2.	Bond on Removal - \$500.00, The Travelers Indemnity Company, as surety filed. mm
7-15-75	3.	Proof of Filing, filed. mm
7-15-75	4.	Notice of filing, filed. mm
7-15-75	5.	Acknowledgment of Clerk of the District Court in and for Tulsa County of Receipt of Copy of Notice, Petition for Removal and Bond on Removal, filed. mm
7-21-75	6.	<u>Answer</u> of def., filed. rm
10-9-75	MO	Parties are directed to hold PT conf. on or before 11-19-75 & file PT order on or before 11-26-75. (AEB-J)k cps by cert mail
1-30	7.	Order, filed, granting Jeff Nix permission to w/draw as atty. for Pltf. (AEB-J)v -cps. mld.
2-23	8	Pre-trial Order, filed. (AEB-J)g
4-1	MO:	Case set for non-jury trial on 6-1-76, at 10:00 A.M.(AEB-J)b nts mld w/affid.
5-14	9	Deft's Trial Brf., filed.t
5-18	10	Mot. of Deft., for Continuance on Non-Jury Trial Setting, filed.t0-J
5-19	11	Order, filed, striking case from 6-1-76 non-jury trial setting. (AEB-J)k cps mld
5-26	12	Deft.'s appl. to file amended answer, filed.k o to j
5-26	13	Brief in support of deft's appl. to file amended answer, filed.k
5-27	14	Order filed granting deft. leave to file amended answer, further that pltf. is granted 10 days from the filing of amended answer in which to reply. (AEB-J).s cps mld.
6-7	15.	Deft's amendment to pre-trial order, filed.k
6-7	16.	Deft's amended trial brief, filed.k
6-7	17.	Deft's amended answer, filed.k
7-29	MO	Case set for Non-Jury trial on 9-13-76, at 10:00 A.M.(AEB-J)b nts by cert ml
8-13	18.	Mot. to join party for just adjudication, fld. by Pltf. v
8-13	19.	Brief in support, fld. v
8-16	MO:	Deft. granted 10 days to respond to Pltf.'s mot. to join party. (AEB-J)v
8-19	20.	Deft's response to Pltf's motion to join party for just adjudication, filed.s
8-24	21	Order, filed, sustaining mot. to join add. party and making Boiler-makers, Iron, Shipbuilders, Blacksmiths, Forgers & Helpers Union as additional party deft. Further, that pltf. issue process of all foregoing pleadings. (AEB-J)k cps mld
9-9	22	Pltf's mot. to strike case from trial docket set for 9-13-76, filed.s O to J.
9-9	23	Order, filed, striking trial setting of 9-13-76. To be reset by further order of the Court. (AEB-J)k cps mld

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT		DOCKET NO. 75-C-309-B Sheet 2, Page 3 PAGE XXXX OF XXXX PAGES
DALE KNOTT		GENERAL AMERICAN TRANSPORTATION, et al.		
DATE, '76	NR.	PROCEEDINGS		
9-29	--	Return on U.S. Marshal's Service, Summons, fld. Served T. Lusk Wands, Administrator, Bilermakers, etc., Union, in Kansas City, KS, on 9-23-76 w/fees of \$4.00. v T. Lusk Wands (Adm. of deflt. Union)		
10-13	24	Movant's/ mot.to dismiss for lack of jurisdiction over the person, insufficiency of process, insufficiency of service of process and failure to state a claim upon which relief can be granted under Rule 12(b), filed.s		
10-13	25	Movant's brief in support of mot. to dismiss, filed.s		
10-14	MO	It is ordered by the Court that the pltf. file a responsive brief within 10 days to the motion to dismiss for lack of jurisdiction over the person, insufficiency of process, insufficiency of service of process and failure to state a claim upon which relief can be granted filed by Movant T. Lusk Wands (and in limited part, on behalf of the Union).s (AEB-J) cps. mld.		
11-4	26.	Deft's Interrogs to T. Lusk Wands, filed. 1m		
11-4	27.	Deft's Interrogs to Dave Lewis, filed. 1m		
11-4	28.	Deft's Interrogs to Boilmakers, Iron, Shipbuilders, Blacksmiths, Forgers & Helpers Union, filed. 1m		
11-23	29.	Order, filed & entered, that the motion to dismiss for lack of jurisdiction over the person, insufficiency of process, insufficiency of service of process and failure to state a claim upon which relief can be granted under Rule 12(b) is sustained and T. Lusk Wands and Boilermakers, Iron, Shipbuilders, Blacksmiths, Forgers & Helpers Union against whom process was sought to be obtained are hereby dismissed from this action without prejudice. s (AEB-J) cps. mld.		
<u>1977</u>				
2-25	MO	Case set for non-jury trial on 3-21-77 at 10:00 a.m. (AEB-J)k ntc by cert ml w/ affid.		
3-15	30	Pltf mot to strike case from trial docket. fld. O to J. ho		
3-15	31	Pltf mot to join party for just adjudication. fld. ho		
3-15	32	Pltf brief in supp of mot to join party for just adjudication. fld ho		
3-16	MO	It is ordered by the Ct that the deflt. file a responsive brief w/in 10 days to pltf. mot to join party for just adjudication. (AEB-J) cps mld. ho		
3-16	33	Order fld. striking case from the trial docket of 3-21-77 to be re-set by furhter order of the Ct. (AEB-J) cps mld. ho		
3-18		Deposition of Dale Knott taken on behalf of the Deft. on 3-14-77 before Evelyn E. Rutherford, CSR, w/fees \$127.50. fld. ho		
3-25	34	Deft. response to Pltf. mot. to join party for just adjudication. fld. ho		
3-31	35.	Order, filed, that pltf's mot. to join party is sustained and pltf. is directed to file its amended compl. w/in 10 days joining Boiler-maker-Blacksmith Natl. Pension Trust an add. party deflt. and to issue summons. (AEB-J)k cps mld summons issued.		

(over)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 75-C-309-B Sheet 2, Page 4 PAGE XXXX OF XXXXX PAGES
DALE KNOTT		GEN. AMERICAN TRANSPORTATION CORP., ET AL.	
DATE	NR.	PROCEEDINGS	
1977			
4-15	MO	It is ordered that Pltf. is granted leave to file Amended Petition out-of-time. (AEB-J) amended pet. mld. ho	
4-15	36	Pltf. amended petition. fld. ho	
4-25	37.	Answer of deft. General Amer. Transp. Corp. to pltf's amended compl. filed.k	
5-12		Return on USM service of summons, amended compl. & Order, filed. Served Boilermaker-Blacksmith Natl. Pension Trust by serving T. Lusk Wands, Administrator, on 4-25-77 at Kansas City, KS, w/ fees of \$8.12.k	
5-13	38.	Answer of Deft. Boilermaker-Blacksmith Ntl. Pension Trust to the Amended Compl., fld. v	
6-14	MO :	Parties are directed to hold PT conf. on or before 7-26-77 and file PT Order on or before 8-2-77. (AEB-J)k ntc mld	
8-2	39	Deft. Boilermaker appl. for ext. of time to file PTO. fld. ho 0 to J.	
8-3	40.	Order, filed, granting an extension of time to & including 9-15-77, w/in which to submit a pre-trial order in this cause. (AEB-J)b cps mld	
9-15	41	Deft. Boilermaker-Blacksmith Ntl. Pension Trust mot. for S/J with brief in supp. & affid. of T. Lusk Wands. fld. ho	
9-15	MO	It is ordered that the Pltf. file a responsive brief w/in 10 days to Deft. Boilermaker mot. for S/J. (AEB-J) cps mld. ho	
9-19	42	Deft. Boilermaker amendment to PTO, (proposed) fld. ho	
10-27	MO	Case referred to Mag. Robert S. Rizley pursuant to Order No. M-128. (AEB-J)k	
11-3	MO	Case set for hrg. before Mag. on deft. Boilermaker-Blacksmith's mot. for S/J on 11-21-77 at 10:00 a.m. (RSR-Mag)k ntc by KT	
11-18	43	Pltf. memorandum in response to Deft. Boilermaker-Blacksmith mot. for S/J. fld. ho	
11-21	MO	Upon agreement of the parties, hrg. before Mag. on deft. Boilermaker-Blacksmith's mot. for S/J set for 11-21-77 at 10:00 a.m. is stricken and reset for 11-28-77 at 3:00 p.m. (RSR-Mag)k ntc by KT	
11-22	44.	Deft. General Amer. Transp. Corp.'s motion for S/J and adoption of memorandum in support of deft. Boilermaker-Blacksmith's mot. for S/J, filed.k	
11-28	Min	Case called for hrg. on defts' mots. for S/J before Mag. Parties represented. Pltf. given 10 days to file additional brief, following which Mag. will file findings & recommendations. (RSR-Mag)k	
1978 3-27	MO	Mag. recommends deft. Gen. Amer. Trans.' mot. for S/J be sustained & that deft. Boilermaker-Blacksmith's mot. for S/J be sustained. Deft. Gen. American Trans. to prepare F&R of the Mag. & proposed order w/in 10 days. (RSR-Mag)k cps by KT	
4-13	MO	Counsel for deft. Gen. American Trans. is granted until 4-21-78 to submit proposed F&R of the Mag. & order. (RSR-Mag)k ntc by phone	
4-27	45.	Findings & Recommendations of Magistrate, filed, (RSR-Mag) b cps mld	

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR

PLAINTIFF	DEFENDANT	DOCKET NO. _____
		PAGE ____ OF ____ PAGES

DATE 1978	NR.	PROCEEDINGS
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5-12	46	Order, fld. & entered, It is ordered that the mots. for S/J fld. by Defts. General American Transportation Corp. & Boilermaker-Blacksmith National Pension Trust are sustained. (AEB-J)ho c/m
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PLAINTIFF

FPI-MAR

DEFENDANT

DOCKET NO. _____

PAGE ____ OF ____ PAGES

DATE _____

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PROCEEDINGS